

**SECTION 2. FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Fitz et al. Attorney Docket: 2960/118

Serial No: 10/752,438 Art Group Unit: 3738

Date Filed: January 5, 2004 Examiner Name: Stewart, Jason-Dennis  
Neilken

Invention: Patient Selectable Knee Arthroplasty Devices

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

U.S. PATENT DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
	DT	US 3,694,820	Oct. 3, 1972	Scales et al.	3/1
	DU	US 3,991,425	Nov. 16, 1976	Martin et al.	3/1.91
	DV	US 4,164,793	Aug. 21, 1979	Swanson	3/1.91
	DW	US 4,280,231	Jul. 28, 1981	Swanson	3/1.91
	DX	US 4,344,193	Aug. 17, 1982	Kenny	3/1.911
	DY	US 4,436,684	Mar. 13, 1984	White	264/138
	DZ	US 4,575,805	Mar. 11, 1986	Moermann et al.	364/474
	EA	US 4,655,227	Apr. 7, 1987	Gracovetsky	128/781
	EB	US 4,699,156	Oct. 13, 1987	Gracovetsky	128/781
	EC	US 4,813,436	Mar. 21, 1989	Au	128/779
	ED	US 4,823,807	Apr. 25, 1989	Russell et al.	128/773
	EE	US 4,944,757	Jul. 31, 1990	Martinez et al.	623/20
	EF	US 5,099,859	Mar. 31, 1992	Bell	128/781
	EG	US 5,129,908	Jul. 14, 1992	Peterson	606/88
	EH	US 5,154,178	Oct. 13, 1992	Shah	128/653.2
	EI	US 5,246,013	Sep. 21, 1993	Frank et al.	128/774
	EJ	US 5,274,565	Dec. 28, 1993	Reuben	364/474.24
	EK	US 5,306,307	Apr. 26, 1994	Senter et al.	623/17
	EL	US 5,314,478	May 24, 1994	Oka et al.	623/18
	EM	US 5,326,365	Jul. 5, 1994	Alvine	623/21
	EN	US 5,344,459	Sep. 6, 1994	Swartz	623/18
	EO	US 5,360,446	Nov. 1, 1994	Kennedy	623/16
	EP	US 5,413,116	May 9, 1995	Radke et al.	128/777
	EQ	US 5,433,215	Jul. 18, 1995	Athanasίου et al.	128/774
	ER	US 5,445,152	Aug. 29, 1995	Bell et al.	128/653.5
	ES	US 5,501,687	Mar. 26, 1996	Willert et al.	606/94
	ET	US 5,503,162	Apr. 2, 1996	Athanasίου et al.	128/774
	EU	US 5,522,900	Jun. 4, 1996	Hollister	623/18
	EV	US 5,541,515	Jul. 30, 1996	Tsujita	324/318

(Information Disclosure Statement--page 4 of 14)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.S./

Applicants: Fitz et al.

Attorney Docket: 2960/118

Serial No: 10/752,438

Art Group Unit: 3738

Date Filed: January 5, 2004

Examiner Name: Stewart, Jason-Dennis  
Neilken

Invention: Patient Selectable Knee Arthroplasty Devices

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

U.S. PATENT DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
	EW	US 5,549,690	Aug. 27, 1996	Hollister et al.	623/21
	EX	US 5,554,190	Sep. 10, 1996	Draenert	623/16
	EY	US 5,564,437	Oct. 15, 1996	Bainville et al.	128/774
	EZ	US 5,682,886	Nov. 4, 1997	Delp et al.	128/653.1
	FA	US 5,749,362	May 12, 1998	Funda et al.	128/653.1
	FB	US 5,749,876	May 12, 1998	Duvillier et al.	606/88
	FC	US 5,768,134	Jun. 16, 1998	Swaelens et al.	364/468.28
	FD	US 5,772,595	Jun. 30, 1998	Votruba et al.	600/415
	FE	US 5,779,651	Jul. 14, 1998	Buschmann et al.	600/587
	FF	US 5,810,006	Sep. 22, 1998	Votruba et al.	128/653.2
	FG	US 5,824,085	Oct. 20, 1998	Sahay et al.	623/16
	FH	US 5,835,619	Nov. 10, 1998	Morimoto et al.	382/132
	FH.1	US 5,871,018	Feb. 16, 1999	Delp et al.	128/898
	FI	US 5,880,976	Mar. 9, 1999	DiGioia, III et al.	364/578
	FJ	US 5,885,296	Mar. 23, 1999	Masini	606/86
	FK	US 5,885,298	Mar. 23, 1999	Herrington et al.	606/88
	FL	US 5,897,559	Apr. 27, 1999	Masini	606/86
	FM	US 5,899,859	May 4, 1999	Votruba et al.	600/415
	FN	US 5,913,821	Jun. 22, 1999	Farese et al.	600/425
	FO	US 5,916,220	Jun. 29, 1999	Masini	606/88
	FP	US 5,928,945	Jul. 27, 1999	Seliktar et al.	435/395
	FQ	US 5,961,523	Oct. 5, 1999	Masini	606/86
	FR	US 5,968,051	Oct. 19, 1999	Luckman et al.	606/88
	FS	US 5,995,738	Nov. 30, 1999	DiGioia, III et al.	395/500.32
	FT	US 6,002,859	Dec. 14, 1999	DiGioia, III et al.	395/500.32
	FU	US 6,078,680	Jun. 20, 2000	Yoshida et al.	382/128
	FV	US 6,102,916	Aug. 15, 2000	Masini	606/88
	FW	US 6,146,422	Nov. 14, 2000	Lawson	623/17.16
	FX	US 6,156,069	Dec. 5, 2000	Amstutz	623/22.11
	FY	US 6,161,080	Dec. 12, 2000	Aouni-Ateshian et al.	703/11
	FZ	US 6,175,655	Jan. 16, 2001	George, III et al.	382/257
	GA	US 6,187,010	Feb. 13, 2001	Masini	606/86
	GB	US 6,205,411	Mar. 20, 2001	DiGioia, III et al.	703/11

(Information Disclosure Statement--page 5 of 14)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.S./

Applicants: Fitz et al.

Attorney Docket: 2960/118

Serial No: 10/752,438

Art Group Unit: 3738

Date Filed: January 5, 2004

Examiner Name: Stewart, Jason-Dennis  
Neilken

Invention: Patient Selectable Knee Arthroplasty Devices

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

U.S. PATENT DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
	GC	US 6,249,692	Jun. 19, 2001	Cowin	600/407
	GD	US 6,289,753	Sep. 18, 2001	Basser et al.	73/866
	GE	US 6,310,477	Oct. 30, 2001	Schneider	324/307
	GF	US 6,310,619	Oct. 30, 2001	Rice	345/420
	GG	US 6,316,153	Nov. 13, 2001	Goodman et al.	430/8
	GH	US 6,334,006	Dec. 25, 2001	Tanabe	385/12
	GI	US 6,334,066	Dec. 25, 2001	Rupprecht et al.	600/411
	GI.1	US 6,344,059	Feb. 5, 2002	Krakovits et al.	623/20.31
	GJ	US 6,450,978	Sep. 17, 2002	Brosseau et al.	600/595
	GJ.1	US 6,482,209	Nov. 19, 2002	Engh et al.	606/79
	GJ.2	US 6,510,334	Jan. 21, 2003	Schuster et al.	600/407
	GK	US 6,533,737	Mar. 18, 2003	Brosseau et al.	600/595
	GL	US 6,560,476	May 6, 2003	Pelletier et al.	600/410
	GM	US 6,623,526	Sep. 23, 2003	Lloyd	623/20.28
	GN	US 6,626,945	Sep. 30, 2003	Simon et al.	623/17.19
	GO	US 6,799,066	Sep. 28, 2004	Steines et al.	600/407
	GP	US 6,835,377	Dec. 28, 2004	Goldberg et al.	424/93.7
	GQ	US 6,873,741	Mar. 29, 2005	Li	382/266
	GR	US 7,058,209	Jun. 6, 2006	Chen et al.	382/117
	GR.1	US 7,115,131	Oct. 3, 2006	Engh et al.	606/79
	GS	US 7,184,814	Feb. 27, 2007	Lang et al.	600/416
	GT	US 7,239,908	Jul. 3, 2007	Alexander et al.	600/427
	GT.1	US 7,438,685	Oct. 21, 2008	Burdette et al.	600/439
	GT.2	US 7,520,901	Apr. 21, 2009	Engh et al.	623/20.21

U.S. PATENT PUBLICATION DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Publication Date	Inventor	Class/Subclass
	GU	US 2001/0001120	May 10, 2001	Masini	606/86
	GV	US 2002/0016543	Feb. 7, 2002	Tyler	600/410
	GW	US 2002/0127264	Sep. 12, 2002	Felt et al.	424/423
	GX	US 2002/0147392	Oct. 10, 2002	Steines et al.	600/407
	GY	US 2002/0173852	Nov. 21, 2002	Felt et al.	623/20.32

(Information Disclosure Statement--page 6 of 14)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.S./

Applicants: Fitz et al.

Attorney Docket: 2960/118

Serial No: 10/752,438

Art Group Unit: 3738

Date Filed: January 5, 2004

Examiner Name: Stewart, Jason-Dennis  
Neilken

Invention: Patient Selectable Knee Arthroplasty Devices

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

U.S. PATENT PUBLICATION DOCUMENTS					
Examiner Initials	Reference Number	Document Number	Publication Date	Inventor	Class/Subclass
	GZ	US 2002/0177770	Nov. 28, 2002	Lang et al.	600/410
	HA	US 2003/0015208	Jan. 23, 2003	Lang et al.	128/922
	HB	US 2003/0055502	Mar. 20, 2003	Lang et al.	623/16.11
	HC	US 2004/0133276	Jul. 8, 2004	Lang et al.	623/14.12
	HD	US 2004/0138754	Jul. 15, 2004	Lang et al.	623/20.14
	HE	US 2004/0147927	Jul. 29, 2004	Tsougarakis et al.	606/53
	HF	US 2004/0153079	Aug. 5, 2004	Tsougarakis et al.	606/77
	HG	US 2004/0167390	Aug. 26, 2004	Alexander et al.	600/410
	HH	US 2004/0204644	Oct. 14, 2004	Tsougarakis et al.	600/410
	HI	US 2004/0204760	Oct. 14, 2004	Fitz et al.	623/14.12
	HJ	US 2004/0236424	Nov. 25, 2004	Berez et al.	623/14.12
	HK	US 2005/0055028	Mar. 10, 2005	Haines	606/79
	HL	US 2005/0107883	May 19, 2005	Goodfried et al.	623/20.15
	HM	US 2005/0119664	Jun. 2, 2005	Carignan et al.	606/96
	HN	US 2005/0234461	Oct. 20, 2005	Burdulis, Jr. et al.	606/79
	HO	US 2006/0111722	May 25, 2006	Bouadi	606/79
	HP	US 2006/0111726	May 25, 2006	Felt et al.	606/86
	HQ	US 2007/0015995	Jan 18, 2007	Lang et al.	600/407
	HR	US 2007/0067032	Mar. 22, 2007	Felt et al.	623/14.12
	HS	US 2007/0198022	Aug. 23, 2007	Lang et al.	606/88
	HT	US 2007/0203430	Aug. 30, 2007	Lang et al.	600/587
	HU	US 2007/0276224	Nov. 29, 2007	Lang et al.	600/410
	HV	US 2008/0015433	Jan. 17, 2008	Alexander et al.	600/427

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Reference Number	Country Code	Document Number	Publication Date	Patentee or Applicant	Class/Subclass
	HW	CN	86209787	Nov. 18, 1997	Yekuan	A61F 2/38
	HX	CN	86209787 English Abstract	Nov. 18, 1997	Yekuan	A61F 2/38
	HY	FR	2740326 English Abstract	Apr. 30, 1997	Osteal Medical Laboratories Limited Company	A61F 2/38

(Information Disclosure Statement--page 7 of 14)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.S./

Applicants: Fitz et al.

Attorney Docket: 2960/118

Serial No: 10/752,438

Art Group Unit: 3738

Date Filed: January 5, 2004

Examiner Name: Stewart, Jason-Dennis  
Neilken

Invention: Patient Selectable Knee Arthroplasty Devices

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Reference Number	Country Code	Document Number	Publication Date	Patentee or Applicant	Class/Subclass
	HZ	GB	2304051	Mar. 12, 1997	Corin Medical Limited	A61F 2/38
	IA	EP	1074229	Feb. 7, 2001	Schuster	A61F 2/38
	IB	EP	1074229 English Abstract	Feb. 7, 2001	Schuster	A61F 2/38
	IC	EP	1327423	Jul. 16, 2003	Fell et al.	A61F 2/38
	ID	WO	87/02882 In French	May 21, 1987	Aubaniac	A61F 2/38
	IE	WO	87/02882 In English	May 21, 1987	Aubaniac	A61F 2/38
	IF	WO	95/028688	Apr. 2, 1998	Eriksson et al.	A61F 2/28
	IG	WO	98/012994	Jun. 22, 2000	Stanford University	A61B 5/11
	IH	WO	00/035346	Feb. 15, 2001	Novarticulate Holdings Limited	A61F 2/46
	II	WO	01/010356	Nov. 8, 2001	Std Manufacturing, Inc.	Not classified
	IJ	WO	02/022013	Mar. 21, 2002	Leland Stanford Jr. University	A61B 5/055
	IJ.1	WO	02/096268	Dec. 5, 2002	Imaging Therapeutics, Inc.	A61B
	IK	WO	03/061522	Jul. 31, 2003	Advanced Bio Surfaces, Inc.	A61F
	IL	WO	04/006811	Jan. 22, 2004	Advanced Bio Surfaces, Inc.	A61F 2/46
	IM	WO	04/073550	Sep. 2, 2004	Murray	A61F
	IN	WO	05/016175	Feb. 24, 2005	Advanced Bio Surfaces, Inc.	A61F
	IO	WO	05/051239	Jun. 9, 2005	ConforMIS, Inc.	A61F 2/08

(Information Disclosure Statement--page 8 of 14)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.S./

Applicants: Fitz et al.

Attorney Docket: 2960/118

Serial No: 10/752,438

Art Group Unit: 3738

Date Filed: January 5, 2004

Examiner Name: Stewart, Jason-Dennis  
Neilken

Invention: Patient Selectable Knee Arthroplasty Devices

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	IP	ARGENSON, et al	"Is There a Place for Patellofemoral Arthroplasty?", Clinical Orthopaedics and Related Research No. 321, Pp. 162-167
	IQ	BILLET, PHILIPPE	<b>French Version</b> - "Gliding Knee Prostheses – Analysis of Mechanical Failures", Thesis, Medical School of Marseilles, 1982, 64 pages
	IR	BILLET, PHILIPPE	<b>Translated Version</b> - "Gliding Knee Prostheses – Analysis of Mechanical Failures", Thesis, Medical School of Marseilles, 1982, 93 pages
	IS	DE WINTER, et al.	"The Richards Type II Patellofemoral Arthroplasty", Acta Orthop Scand 2001; 72 (5): 487-490
	IT	RITTER, et al.	"Postoperative Alignment Of Total Knee Replacement", Clin. Orthop. 299: 153-156 (1994) T. 162, V. V
	IU	International Searching Authority	International Search Report – International Application No. PCT/US02/16945, dated March 26, 2003, 6 pages
	IV	European Patent Office	Supplementary European Search Report – Application No. 03713907.8, dated December 6, 2006, 3 pages
	IW	European Patent Office	Supplementary Partial European Search Report – Application No. 02737254.9, dated March 2, 2007, 5 pages
	IX	International Searching Authority	Invitation to Pay Additional Fees/Partial Search Report – International Application No. PCT/US03/38158, dated November 22, 2004, 8 pages
	IY	European Patent Office	European Search Report – Application No. EP 03790194, dated July 13, 2006, 7 pages

(Information Disclosure Statement--page 9 of 14)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.S./

Applicants: Fitz et al.

Attorney Docket: 2960/118

Serial No: 10/752,438

Art Group Unit: 3738

Date Filed: January 5, 2004

Examiner Name: Stewart, Jason-Dennis  
Neilken

Invention: Patient Selectable Knee Arthroplasty Devices

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	<b>IZ</b>	<b>International Searching Authority</b>	International Search Report – International Application No. PCT/US03/32123, dated March 17, 2004, 7 pages
	<b>JA</b>	<b>International Searching Authority</b>	International Search Report – International Application No. PCT/US03/36079, dated April 15, 2004, 7 pages
	<b>JB</b>	<b>International Searching Authority</b>	International Search Report – International Application No. PCT/US04/39616, dated March 28, 2005, together with the Written Opinion of the International Searching Authority, 6 pages
	<b>JC</b>	<b>International Searching Authority</b>	International Search Report – International Application No. PCT/US2005/042421, dated May 18, 2006, together with the Written Opinion of the International Searching Authority, 7 pages
	<b>JD</b>	<b>International Searching Authority</b>	Invitation to Pay Additional Fees - International Application No. PCT/US2007/064349 dated August 7, 2007
	<b>JE</b>	<b>International Searching Authority</b>	International Search Report – International Application No. PCT/US2007/064349, dated October 12, 2007, together with the Written Opinion of the International Searching Authority, 21 pages
	<b>JF</b>	<b>United States Patent and Trademark Office</b>	Office Action dated August 1, 2006, pertaining to Application No. 10/764,010 (US Patent Publication No. US2004/0167390), 5 pages
	<b>JG</b>	<b>Bromberg &amp; Sunstein LLP</b>	Response to Office Action dated August 1, 2006, pertaining to Application No. 10/764,010 (US Patent Publication No. US2004/0167390), 3 pages

(Information Disclosure Statement--page 10 of 14)

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.S./

Applicants: Fitz et al. Attorney Docket: 2960/118  
Serial No: 10/752,438 Art Group Unit: 3738  
Date Filed: January 5, 2004 Examiner Name: Stewart, Jason-Dennis  
Neilken  
Invention: Patient Selectable Knee Arthroplasty Devices

**LIST OF PATENTS AND PUBLICATIONS FOR  
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

OTHER DOCUMENTS			
Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
	<b>JH</b>	<b>United States Patent and Trademark Office</b>	Office Action dated September 6, 2007, pertaining to Application No. 10/764,010 (US Patent Publication No. US2004/0167390), 13 pages
	<b>JI</b>	<b>Bromberg &amp; Sunstein LLP</b>	Response to Office Action dated September 6, 2007, pertaining to Application No. 10/764,010 (US Patent Publication No. US2004/0167390), 22 pages
	<b>JJ</b>	<b>United States Patent and Trademark Office</b>	Office Action dated April 10, 2008, pertaining to Application No. 10/764,010 (US Patent Publication No. US2004/0167390), 17 pages

Examiner Signature: /Jason-Dennis Stewart/

Date Considered: 06/21/2010

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation *if not* in conformance and not considered. Include copy of this form with next communication to applicant.